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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,175	10/19/2000	Daniel I. Flitcroft	032668-027	7048

		EXAMINER
7590 09/26/2006		GRAHAM, CLEMENT B

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ART UNIT	PAPER NUMBER
3628	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/691,175	FLITCROFT ET AL.
	Examiner	Art Unit	
	Clement B. Graham	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *28 June 2006*.

2a)☐ This action is **FINAL.** 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *28-59* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *28-59* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1. Claims 28-59, remained pending.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 28-30, 37-50, 53-59, are rejected under 35 U.S.C. 102(e) as being anticipated by Joao et al (Hereinafter Joao U.S. Patent No. 5, 903, 830).

As per claim 28, Joao discloses a method for implementing a limited-use credit card system, the method composing:

allocating in a computer system a limited-use credit card number (see column 16 lines 4-35) associating the limited-use credit card number with a customer account number and a set of conditions (i.e. card is lost, stolen, cancelled and/or de-activated, or credit, charge or debit limit is reached and/or exceeded, currency value depleted, unauthorized transaction limit reached or exceeded limitations and/or restrictions violated, etc.) authorizing or nor authorizing the transaction based on a result of said processing in the computer system.(note abstract and see column 17 lines 37-67 and column 18 lines 1-54 and column 7 lines 45-64 and column 5 lines 20-67) issuing the limited-use credit card number (see column 4 lines 19-31).

Joao fail to explicitly teach detecting in a computer system a transaction using the limited-use credit card number and processing the transaction in accordance with the set of conditions associated with limited-use credit card number.(see column 17 lines 60-67).

As per claim 29, Joao discloses further comprising:

allocating in a computer system additional limited-use credit card numbers upon a customer request and/or an event trigger ("i. e, exceed account limit or depleted

funds"). (Note abstract and see column 16 lines 4-35 and abstract and see column 7 lines 45-64 and column 5 lines 20-67).

As per claim 30, Joao discloses wherein the event trigger ("i. e, exceed account limit or depleted funds") is the use of more than a preset amount of limited-use credit card numbers. (see column 5 lines 20-67).

As per claim 37, Joao discloses further comprising: notifying a user about parameters of the limited-use credit card system. (see column1 lines 5-31).

As per claim 38, Joao discloses wherein the user is notified e-mail. (see column 10 lines 56).

As per claim 39, Joao discloses wherein the parameters of the limited use credit card system comprise records of limited-use and other card transactions. (see column 16 lines 4-34).

As per claim 40, Joao discloses wherein the parameters of the limited-use credit card system comprise use of the limited use credit card number in a credit card transaction. (see column 5 lines 20-67).

As per claim 41, Joao discloses wherein the parameters of the limited-use credit card system comprise a number of the limited-use credit card number available to the user. (see column 16 lines 4-34).

As per claim 42, Joao discloses wherein the set of conditions are defined by a user of the limited-use credit card. (note abstract and see column 46 lines 6-14).

As per claim 43, Joao discloses wherein the set of conditions limits the use of the limited-use credit card number to a pro-defined user limit. (see column 16 lines 4-34).

As per claim 44, Joao discloses wherein the set of conditions limits the use of the limited-use credit card number to a particular merchant,(see column 5 lines 20-67)

As per claim 45, Joao discloses wherein the particular merchant is selected from a predetermined list of merchants and/or category of merchants("i. e, merchants") . (see column 5 lines 20-67).

As per claim 46, Joao discloses wherein the particular merchant ("i. e, merchant") is prearranged by the user. (see column 16 lines 4-34).

As per claim 47, Joao discloses wherein the set of conditions limits the use of the limited-use credit card number to a single transaction for a maximum transaction value for a single purpose (see column 7 lines 45-64 and column 16 lines 13-34).

As per claim 48, Joao discloses wherein the set of conditions limits the use of the limited-use credit card number to a set number of transactions for a maximum transaction value within a set time. (see column 7 lines 45-64 and column 16 lines 13-34).

As per claim 49, Joao discloses wherein the set of conditions limits the use of the limited-use credit card number to a single purpose. (see column 7 lines 45-64).

As per claim 50, Joao discloses wherein the set of conditions comprise at least one of the group consisting of transaction value conditions, time of transaction conditions, number of transactions conditions, frequency of transactions conditions, purpose of transaction conditions, merchant type conditions, and geographical conditions. (see column 7 lines 45-64 and column 16 lines 13-34).

As per claim 53, Joao discloses wherein dispensing a credit card comprises: printing out an indication of the limited-use credit card number for delivery to the user. (see column 16 lines 32-35).

As per claims 54-55 Joao discloses wherein dispensing a credit card comprises: Dispensing the limited use credit card number to a user via a telecommunication system.(see column 16 lines 32-35).

As per claim 56, Joao discloses wherein the telecommunications system comprises a mobile phone. (see column 14 lines 66-67 and column 15 lines 1-18).

As per claim 57, Joao discloses further comprising: initiating the transaction using the limited-use credit card number via a telecommunications system. (Note abstract and see 5 lines 45-67 and column 7 lines 45-64 and see column 16 lines 4-35).

As per claim 58, Joao discloses wherein the telecommunications system comprises a pager. (see column 14 lines 66-67 and column 15 lines 1-18).

As per claim 59, Joao discloses wherein the telecommunications system comprises a mobile phone. (see column 14 lines 66-67 and column 15 lines 1-18).

4. Claims 31-36 and 51-52, are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao et al (Hereinafter Joao U.S. Patent No. 5, 903, 830) .

As per claim 31, Joao discloses wherein processing the transaction comprises: authorizing or not authorizing the transaction by comparing the transaction to the set of conditions associated with the limited-use credit card number (see column 5 lines 39-67) determining in a computer system whether a limited use event has occurred (see column 5 lines 39-67) and deactivating the limited-use credit card number based on the limited-use event and/or the set of conditions associated with limited-use credit card number. (see column 5 lines 39-67).

As per claim 32, Joao discloses further comprising:
associated in a computer system said other limited-use credit card number with the customer account number (note abstract and see column 7 lines 45-64 and column 5 lines 20-67) and assigning another limited-use credit card number in response to deactivating the limited-use credit card number. (see column 5 lines 39-67).

As per claim 33, Joao discloses further comprising: maintaining in a computer system queue (i. e, database") of available limited-use credit card numbers (see column 16 lines 4-13) and assigning the limited use credit card number from the queue. (see column 16 lines 4-13).

As per claim 34-35, Joao discloses wherein issuing the limited-use credit card number comprises:
downloading the limited-use credit card number to a user. (see column 16-18 lines 4-13).

As per claim 36, Joao fail to explicitly teach wherein issuing the limited-use credit card number comprises:
mailing the limited-use credit card number to a user.

However they are many ways of transmitting or issuing information to a user, for example via email or regular, U.S mail, or downloading and the means of issuing the account number to the user do not in any way prevent the system from performing its true function of performing a transactions using limited use credit card numbers.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Joao would have been able to issue the credit card number to the user because they are many ways of transmitting information to a user, for example via email or regular, U.S mail or downloading, further the means of issuing the account number to the user do not in any way prevent the system from performing its true function of performing a transactions using limited use credit card numbers.

As per claims 51-52, Joao fail to explicitly teach further comprising: dispensing a credit card containing the limited-use credit card number and wherein the automated teller machine dispenses the credit card.

However card dispensing and machine are old and well known in the art because they are used to dispense a cards with a values, further the means of acquiring the cards or where the cards were bought or sold would not have prevented the system from performing a financial transaction when the card is tender by the holder.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings Joao to include dispensing a credit card containing the limited-use credit card number and wherein the automated teller machine dispenses the credit card because they are used to dispense a cards with a values, further the means of acquiring the cards or where the cards were bought or sold would not have prevented the system from performing a financial transaction when the card is tender by the holder.

<div align="center">Conclusion

Response to Arguments</div>

4.   Applicant 's arguments filed on 04/04/2005 have been fully considered but are they are moot in view of new grounds of rejections.

6.   4.   Upon further review the of the prior art Examiner recognize that these limitations " of detecting in a computer system a transaction using the limited-use credit card number and processing the transaction in accordance with the set of

conditions associated with limited-use credit card number" were indeed taught by
Joao and apologize for misstating that Joao fail to teach these limitations.
However it is the Applicant's responsibility to read the prior in its entirety.

5.   In response to Applicant's arguments as it pertains to Joao.

6.   In response to Applicant's repetitive arguments that prior art of reference fail to
teach or suggest "associating the limited-use credit card number with a customer
account number and a set of conditions and detecting in a computer system a
transaction using the limited-use credit card number and processing the transaction in
accordance with the set of conditions associated with the limited-use credit card
number" the Examiner disagrees with applicant' because these limitations were
addressed as stated.

Joao teaches allocating in a computer system a limited-use credit card number
(see column 16 lines 4-35 associating the limited-use credit card number with a
customer account number and a set of conditions (i.e. card is lost, stolen, cancelled
and/or de-activated, or credit, charge or debit limit is reached and/or exceeded,
currency value depleted, unauthorized transaction limit reached or exceeded limitations
and/or restrictions violated, etc.) authorizing or nor authorizing the transaction based on
a result of said processing in the computer system.(note abstract and see column 17
lines 37-67 and column 18 lines 1-54 and column 7 lines 45-64 and column 5 lines 20-
67 issuing the limited-use credit card number(see column 4 lines 19-31 and detecting in
a computer system a transaction using the limited-use credit card number and
processing the transaction in accordance with the set of conditions associated with
limited-use credit card number .see column 17 lines 60-67.

Therefore it is inherently clear that that Applicant's claimed limitations were
addressed within the teachings of Joao arguments

7.   With respect to Applicant's arguments, Examiner respectfully submits that
obviousness is not determined on the basis of the evidence as a whole and the
relative persuasiveness of the arguments. See In re Oetiker, 977F. 2d 1443, 1445,24
USPQ2d 1443, 1444 (Fed. Cir. 1992); In re Hedges, 783F.2d 1038, 1039, 228 USPQ*
685, 686 (Fed. Cir.1992); In re Piaseckii, 745 F.2d 1468, 1472, 223 USPQ 785, 788

(Fed. Cir.1984); In re Rinehart, 531 F.2d 1048, 1052, 189 USPQ 143, 147 (CCPA 1976). Using this standard, the Examiner respectfully submits that he has at least satisfied the burden of presenting a prima facie case of obviousness, since he has presented evidence of corresponding claim elements in the prior art and has expressly articulated the combinations and the motivations for combinations that fairly suggest Applicant's claimed invention. Note, for example, in the instant case, the Examiner respectfully notes that each and every motivation to combine the applied references are accompanied by select portions of the respective reference(s) which specially support that particular motivation and /or an explanation based on the logic and scientific reasoning of one ordinarily skilled in the art at the time of the invention that support a holding of obviousness. As such, it is not seen that the Examiner's combination of references is unsupported by the applied prior art of record. Rather, it is respectfully submitted that explanation based on the logic and scientific reasoning of one of ordinarily skilled in the art at the time of the invention that support a holding of obviousness has been adequately provided by the motivations and reasons indicated by the Examiner, Ex pane Levengood, 28 USPQ2d 1300(Bd. Pat. App &.,4/293

Therefore the combination of reference is proper and the rejection is maintained.

Any inquiry concerning this communication from the examiner should be directed to Clement Graham at (571) 272-6795. The examiner can normally be reached on Monday, Tuesday, and Wednesday from 5:30AM. to 6:OOPM.

5. If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Hyung S Sough can be reached on (703) 305-0505.

The Official Fax Number for TC-3600 is: 571-273-8300

Clement Graham

Sept 15, 2006

FRANTZY POINVIL
PRIMARY EXAMINER
Au 362Y